

FORM PTO-1390 (Modified)
KRY 1-98

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

10095100

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

n/y/a 09/806243

PRIORITY DATE CLAIMED
09/28/98INTERNATIONAL APPLICATION NO.
PCT/DE99/03125INTERNATIONAL FILING DATE
09/28/99

TITLE OF INVENTION

LUMPY PRODUCT IN ANIMAL FOOD COMPOSITIONS AND PROCESS FOR THE PRODUCTION THEREOF

APPLICANT(S) FOR DO/EO/US

SCHLEBUSCH et al. *Schlebusch*.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. A copy of the International Search Report (PCT/ISA/210).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A change of power of attorney and/or address letter.
19. Certificate of Mailing by Express Mail
20. Other items or information:

2 sheets of drawings

U.S. APPLICATION NO. OR KNOWN SERIAL NO. FR 09780624 n/ya	INTERNATIONAL APPLICATION NO. PCT/DE99/03125	ATTORNEY'S DOCKET NUMBER 10035.00		
21. The following fees are submitted:		CALCULATIONS PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :				
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00				
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$860.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30 \$0.00		
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE
Total claims	33	- 20 =	13	x \$18.00 \$234.00
Independent claims	2	- 3 =	0	x \$78.00 \$0.00
Multiple Dependent Claims (check if applicable)				<input checked="" type="checkbox"/> \$270.00
TOTAL OF ABOVE CALCULATIONS =		\$1,364.00		
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				<input type="checkbox"/> \$0.00
SUBTOTAL =		\$1,364.00		
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30	+	\$0.00
TOTAL NATIONAL FEE =		\$1,364.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/> \$0.00
TOTAL FEES ENCLOSED =		\$1,364.00		
				Amount to be: refunded \$..
				charged \$..
<p><input checked="" type="checkbox"/> A check in the amount of \$1,364.00 to cover the above fees is enclosed.</p> <p><input type="checkbox"/> Please charge my Deposit Account No. 04-1415 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-1415 A duplicate copy of this sheet is enclosed.</p>				
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>				
<p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 10px;"> <p>Dorsey & Whitney LLP Leonard J. Santisi, Esq./Reg. No. 24,135 Republic Plaza Building 370 17th Street, Suite 4700 Denver, Colorado 80202-5647</p> </div>				
 SIGNATURE Leonard J. Santisi NAME 24,135 REGISTRATION NUMBER March 26, 2001 DATE				

09/806243

C03 Rec'd PCT/PTO 26 MAR 2001

Docket No.

10035.00

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): SCHLEBUSCH et al.

Serial No.
n/y/aFiling Date
n/y/aExaminer
n/y/aGroup Art Unit
n/y/aInvention: **LUMPY PRODUCT IN ANIMAL FOOD COMPOSITIONS AND PROCESS FOR THE PRODUCTION THEREOF**

I hereby certify that the following correspondence:

Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 USC 371; Copy of PCT/DE99/03125; Copy of International Search Report; Copy of International Preliminary Examination Report; Specification, Claims and Abstract (12 pages); 2 Sheets of Drawings; Application Data Sheet; Unexecuted Declaration and Power of Attorney; Check in the amount of \$1,364.00; Return Acknowledgement Postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

March 26, 2001

(Date)

Pamela Emard/Dorsey & Whitney LLP

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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